

The Council of the Saddle Lake Band of Indians, at a meeting held at the Agency Office, St. Paul, Alberta, on the second day of December, 1959, makes the following by-law pursuant to paragraph (e) and paragraph (r) of Section 80 of The Indian Act.

By-law No. 2

A by-law to provide for the protection against and prevention of trespass by cattle and other domestic animals on the Saddle Lake and Goodfish Lake Indian Reserves in the Province of Alberta.

1. Owners of cattle and other domestic animals on the Saddle Lake and Goodfish Lake Reserves shall not be responsible for damage caused by their cattle or other domestic animals to crops, gardens, buildings, and straw and haystacks on the Saddle Lake and Goodfish Lake Indian Reserves unless such crops, gardens, buildings, and straw and haystacks are enclosed by fences according to the following provisions:

(a) Growing crops of wheat, barley, oats, rye, flax, millet, legumes and varieties of hay and tame grass shall be enclosed by a fence at least three and one-half ($3\frac{1}{2}$) feet in height, constructed of willow, tamarack or other comparable posts of a minimum of three inches in diameter at the butt, erected vertically in holes eighteen (18) inches in depth, spaced not more than fourteen (14) feet apart and supporting two (2) strands of standard gauge barbed wire, each strand spaced twenty-two (22) inches apart with the bottom strand not more than twenty-two (22) inches above the level of the ground.

(b) Gardens and buildings shall be enclosed by a fence at least four and one-half ($4\frac{1}{2}$) feet in height, constructed of willow, tamarack or other comparable posts of a minimum of four inches in diameter at the butt, erected vertically in holes eighteen (18) inches in depth and spaced not more than ten (10) feet apart, supporting

(1) a top railing and four (4) strands of standard gauge barbed wire spaced eleven (11) inches apart with the bottom strand not more than eleven (11) inches above the level of the ground, or

(2) five rails spaced eleven (11) inches apart, the bottom railing not more than five inches and the top railing not less than five feet above the level of the ground, or

(3) hog wire or comparable wire thirty-two (32) inches in width with two (2) strands of standard gauge barbed wire or railings along the top.

(c) Straw and haystacks shall be enclosed by a fence at least five (5) feet in height, erected at a distance of not less than six (6) feet from any part of the stack, constructed of willow, tamarack or other comparable posts of a minimum of four inches in diameter at the butt, erected vertically in holes eighteen (18) inches in depth, spaced not more than twelve (12) feet apart, supporting a minimum of five rails spaced not more than twelve (12) inches apart, the bottom railing not more than one foot and the top railing not less than five feet from the level of the ground.

(d) A passage-way in a fence constructed and erected pursuant to paragraph 1 (a), (b) and (c) shall not be more than twenty feet in width and shall be protected by a gate properly constructed and securely fastened when not in use.

2. Any owner of cattle or other domestic animals who permits such animals to damage crops, gardens, buildings, and straw and haystacks on the Saddle Lake and Goodfish Lake Reserves, which crops, gardens, buildings, and straw and haystacks have been enclosed by fences according to the provisions of paragraph 1 (a), (b), (c) and (d), shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$100 or imprisonment for a term not exceeding thirty days, or both fine and imprisonment.

3. Nothing in this by-law shall prevent an owner of crops, gardens,

buildings, and straw and haystacks on the Saddle Lake and Goodfish Lake Indian Reserves from claiming restitution from any owner of cattle or other domestic animals, which cattle or domestic animals damage the said crops, gardens, buildings, and straw and haystacks, providing that the said crops, gardens, buildings, and straw and haystacks have been enclosed by fences according to the provisions of paragraph 1 (a), (b), (c) and (d).

Chief:

Joe Cardinal

William Bull

Councillors:

N. H. Kenyon

David Stamp

Geo Jackson

Horace Jackson

Ed. Bentley

Albert Houle

Joe Tassegnak

Mrs. Thibauer

Peter Skirt